

RESTRICTION**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
VOLUNTARY CLEANUP PROGRAM
PERMANENT INSTITUTIONAL CONTROL**

017-78-1222

BP Chemical Corporation (Owner) is the owner of the tract of land described in Exhibit "A" to this certificate that pertains to the BP "C-Plant Site" VCP No. 220 located at 2800 FM 519 East in Texas City, Galveston County, Texas. In consideration of the issuance of the Final Certificate of Closure, the Owner has agreed to place a restriction on the Site described in Exhibit "A" in favor of the Texas Commission On Environmental Quality (TCEQ) and the State of Texas, which prohibits the exposure to inorganic constituents in the soils underlying the soil vegetative cover in the portion of the C-Plant Site designated as "Area H".

Now, therefore, in consideration of these premises and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following restrictive covenants in favor of the TCEQ and the State of Texas are placed on the Site described in Exhibit "A", to-wit:

1. Immediately upon removal of any portion of soil/vegetative cover in the area designated as "Area H" the surface soils must be characterized for tin contamination. Results of the characterization shall be submitted to the TCEQ. Removal of any portion of the soil/vegetative cover shall be approved by the TCEQ prior to excavation.
2. This restriction shall be a covenant running with the land.

Owner: BP Chemical Corporation

By: *Christopher J. Olson*

Print Name: CHRISTOPHER OLSON

Title: ENVIRONMENTAL BUSINESS
MANAGER

STATE OF: TEXAS

COUNTY OF: GALVESTON

This instrument was acknowledged before me on Dec. 6 2002 by Christopher J. Olson

Josephine A. Ives
Notary Public in and for the State of TEXAS

Filed By: Frank Thomas
KMA Environmental Services, LLC
PO Box 2266
Texas City, Texas 77590 **PAID**

